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☒ PATENT ☐ DESIGN B&W Ref. 002973-00031 Date 5/6/02
☐ HAND CARRY Group/Section _____ Bldg _____ Rm _____
 Serial/Patent No. UNKNOWN Atty/Sec API/PW
 Inventor HALAZONETIS ET AL. Client BAYER
 Title PEPTIDES AND PEPTIDOMIMETICS WITH STRUCTURAL SIMILARITY TO HUMAN p53 THAT ACTIVATES p53 FUNCTION

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- ☐ _____ total pp Spec., including : # of Claims _____
 (# of independent claims _____): ☐ Abstract
☐ Drawings : ☐ Formal ☐ Informal
 # of distinct sheets _____ : Figs. _____
☐ Declaration/Power of Attorney : ☐ Executed ☐ Unexecuted
☐ Assignment w/PTO Cover Sheet
☐ IDS w/PTO 1449 ☐ References ☐ w/Fee
☐ Preliminary Amendment
☐ Priority Claim (Foreign or U.S. Provisional, B&W # _____)

- Country _____ Appl. # _____ Date _____
☐ w/Foreign Priority Document(s)
☐ Application : ☐ CIP ☐ Continuation ☐ Divisional
 Parent Ser. No. _____ B&W# _____
☐ U.S. Provisional _____ pp Spec/Claims: Cover Sheet
☐ Response to Missing Parts/Requirements etc
☐ Response to Notice to File Corrected Appn. Papers etc
☐ Request for Expedited Foreign Filing License
☐ Request for Corrected : ☐ Filing Receipt ☐ Assignment
☐ Response to Restriction/Election Requirement

X STATUS INQUIRY DATED 10/9/01
 Y STATUS INQUIRY DATED 2/8/02

- ☐ Sequence Listing : ☐ Diskette ☐ Paper
☐ Amendment ☐ Response : OA etc _____
☐ Petition for Extension of Time until _____
☐ CPA ☐ RCE ☐ w/Ext of Time : OA etc _____
☐ Request for Approval of Drawing Changes
☐ Notice of Appeal & Fee
☐ Brief : ☐ Appeal & Fee ☐ Reply
☐ Request for Oral Hearing
☐ Issue Fee ☐ Advance Patent Copies (# ordered _____)
 Notice of Allowance etc _____
☐ Amendment under 37 CFR 1.312
☐ Request for Certificate of Correction
☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.
☐ Certificate of Mailing
☐ Check # _____ for \$ _____

REQUEST FOR CONFIRMATION OF ORIGINAL
 FILING DATE AND SERIAL NUMBER
 COPY OF DATE STAMPED RECEIPT CARD
 COPY OF DN. APPLN TRANSMITTAL (4/11/01)
 FEE TRANSMITTAL, IDS, PTO 1449,
 DECLARATION, WO 96/25434

☒ PATENT ☐ DESIGN B&W Ref. 002973-00031 Date 5/6/02
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 Serial/Patent No. UNKNOWN Atty/Sec API/PW
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☐ Preliminary Amendment
☐ Priority Claim (Foreign or U.S. Provisional, B&W # _____)

- Country _____ Appl. # _____ Date _____
☐ w/Foreign Priority Document(s)
☐ Application : ☐ CIP ☐ Continuation ☐ Divisional
 Parent Ser. No. _____ B&W# _____
☐ U.S. Provisional _____ pp Spec/Claims: Cover Sheet
☐ Response to Missing Parts/Requirements etc
☐ Response to Notice to File Corrected Appn. Papers etc
☐ Request for Expedited Foreign Filing License
☐ Request for Corrected : ☐ Filing Receipt ☐ Assignment
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☐ Brief : ☐ Appeal & Fee ☐ Reply
☐ Request for Oral Hearing
☐ Issue Fee ☐ Advance Patent Copies (# ordered _____)
 Notice of Allowance etc _____
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☐ Certificate of Mailing
☐ Check # _____ for \$ _____

REQUEST FOR CONFIRMATION OF ORIGINAL
 FILING DATE AND SERIAL NUMBER
 COPY OF DATE STAMPED RECEIPT CARD
 COPY OF DN. APPLN TRANSMITTAL (4/11/01)
 FEE TRANSMITTAL, IDS, PTO 1449,
 DECLARATION, WO 96/25434

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HALAZONETIS et al

Serial No.: Not Yet Known
Application is a Divisional of
Serial No. 08/894,327
(Filed December 4, 1997)

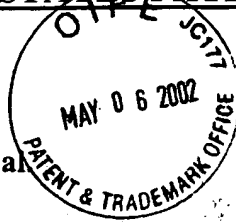
Filed: April 11, 2001

For: PEPTIDES AND PEPTIDOMIMETICS WITH STRUCTURAL SIMILARITY
TO HUMAN p53 THAT ACTIVATE p53 FUNCTION

Atty. Docket No.: 002973.00031

Group Art Unit: Unknown

Examiner: Unknown



STATUS INQUIRY

Commissioner for Patents
Washington, D. C. 20231

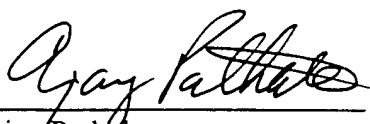
Sir:

Please advise us of the serial number and the status of the above-identified application including an indication as to when the next communication can be expected.

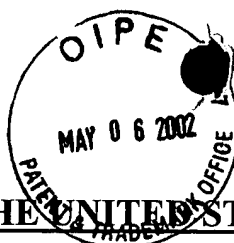
Respectfully submitted,

Date: October 9, 2001

By:


Ajay Pathak
Registration No. 38,266

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D. C. 20001-4597
(202) 508-9100



09, 829, 122 #2 0590
10/09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HALAZONETIS et al.

Serial No.: Not Yet Known
Application is a Divisional of
Serial No. 08/894,327
(Filed December 4, 1997)

Atty. Docket No.: 002973.00031

Group Art Unit: Unknown

Filed: April 11, 2001

Examiner: Unknown

For: PEPTIDES AND PEPTIDOMIMETICS WITH STRUCTURAL SIMILARITY
TO HUMAN p53 THAT ACTIVATE p53 FUNCTION

**REQUEST FOR CONFIRMATION OF ORIGINAL FILING DATE
AND SERIAL NUMBER**

Commissioner for Patents
Washington, D. C. 20231

Sir:

On April 11, 2001, Applicants filed a Divisional Application, Fee Transmittal, Preliminary Amendment and Submission of Sequence Listing, Information Disclosure Statement, Form PTO-1449, Joint Declaration for Patent Application (copy), and copy of WO 96/25434 before the U.S. Patent and Trademark Office (USPTO). A copy of the date stamped receipt card as proof of the same is attached. Also, a copy of all papers filed on April 11, 2001 are attached hereto for the convenience of the Patent Office. Applicants have not yet received a filing receipt or notification of a serial number.

On October 9, 2001, Applicants submitted a Status Inquiry for the above-identified divisional patent application. Copy attached. Applicants filed a Second Status Inquiry on February 8, 2002. Copy attached. In response to that Second Status Inquiry, Applicants' undersigned attorney received a telephone call from "Rene" (703-308-1235) of the USPTO. She stated that application serial number 08/894,327 was patented as U.S. Patent No. 6,245,886, on June 12, 2001, and she did not know why she was given the Second Status Inquiry to respond to.

Applicants followed up on this telephone call with a call to the Office of Initial Patent Examination (OIPE) (703-308-1202), who pointed out that the USPTO did not have any record of the April 11, 2001 divisional application as ever having been filed, and directed us to PCT Branch (703-305-3257).

Mr. Jim Lisehora of PCT Branch confirmed that the USPTO did not have any record of the April 11, 2001 divisional application as ever having been filed and referred us back to OIPE.

Applicants respectfully request the USPTO to accept the attached divisional patent application papers and the date stamped receipt card as proof of the April 11, 2001 filing and accord a filing date of April 11, 2001 and assign a serial number for the above-identified divisional application.

No fees are believed due for consideration of this Request. However, the Commissioner is authorized to charge Deposit Account No. 19-9733 for any fees deemed necessary.

Respectfully submitted,

Date: May 6, 2002

By:



Ajay Pathak
Registration No. 38,266

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D. C. 20001-4597
(202) 508-9100

Enclosures:

- Divisional Application Transmittal
- Fee Transmittal
- Preliminary Amendment and Submission of Sequence Listing
- Information Disclosure Statement
- Form PTO-1449
- Joint Declaration for Patent Application (copy)
- Copy of WO 96/25434
- Date stamped receipt card bearing USPTO date stamp of April 11, 2001
- Status Inquiry dated October 9, 2001
- Status Inquiry dated February 8, 2002

COPY

☒ PATENT ☐ DESIGN B&W Ref. 02973.00031 Date 4-11-01
☐ HAND CARRY Group/S ction _____ Bldg _____ Rm _____
Serial/Patent No. TBA Atty/Sec DH/AP/lab
Inventor Halazonetis et al Client Binger/Wistar
Title Peptides and Peptidomimetics with Structural ..

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☒ 47 total pp Spec., including : # of Claims 4 ☒ Sequence Listing : ☐ Diskette ☒ Paper
(# of independent claims 2); ☐ Abstract ☐ Amendment ☐ Response : OA dtd _____
☐ Drawings : ☐ Formal ☐ Informal ☐ CPA ☐ RCE ☐ w/Ext of Time : OA dtd _____
of distinct sheets _____ : Figs. _____ ☐ Petition for Extension of Time until _____
☒ Declaration/PoA : ☒ Executed ☐ Unexecuted ☐ Request for Approval of Drawing Changes
☐ Assignment w/PTO Cover Sheet ☐ Notice of Appeal & Fee
☐ Small Entity Declaration ☐ Brief : ☐ Appeal & Fee ☐ Reply
☒ IDS w/PTO 1449 ☐ References ☐ w/Fee ☐ Request for Oral Hearing
☒ Preliminary Amendment / Sub of Sequence ☐ Issue Fee ☐ Adv. Patent Copies (#ordered _____)
☐ Priority Claim (Foreign or U.S.Prov. B&W# _____) Notice of Allowance dtd _____
Country _____ Appl. # _____ Date _____ ☐ Amendment under 37 CFR 1.312
☐ w/Foreign Priority Document(s) ☐ Request for Certificate of Correction
☒ Application : ☐ CJP ☐ Continuation ☒ Divisional ☐ Check # _____ for \$ _____
Parent Ser. No. 08/844,327 B&W# 2973.14716 ☐ Check # _____ for \$ _____
☐ U.S. Provisional _____ pp Spec/Cims; Cover Sht. ☒ Fee Transmittal
☐ Response to Missing Parts/Rqmts. dtd _____
☐ Request for Expedited Foreign Filing License
☐ Request for Corrected : ☐ Filing Rec ☐ Assignment
☐ Response to Restriction/Election Requirement

APR 11 2001
14

B&W Rev. 10/00

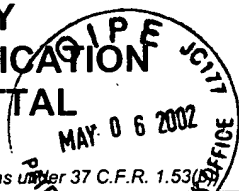
Please type a plus sign (+) inside the box → ☐

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL 		Attorney Docket No.	02973.00031
		First Inventor	Halazonetis et al.
		Title	Peptides and Peptidomimetics with Structural Similarity to Human p53 that Activate p53 Function
(Only for new nonprovisional applications under 37 C.F.R. 1.53)		Express Mail Label No.	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>47</u>] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u> </u>] 5. Oath or Declaration [Total Pages <u> </u>] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATIONS PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____	

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)


of prior application No: 08 / 894,327

Prior application information: Examiner J. Huff

Group / Art Unit: 1642

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		22907		or <input type="checkbox"/> Correspondence address below	
		(Insert Customer No. or Attach bar code label here)			
Name	Banner & Witcoff, LTD.				
Address	1001 G Street, NW, 11 th Floor				
City	Washington	State	dc	Zip Code	20001-4597
Country	USA	Telephone	202-508-9100	Fax	202-508-9299

Name (Print/Type)	Ajay Pathak	Registration No. (Attorney/Agent)	38,266
Signature		Date	April 11, 2001

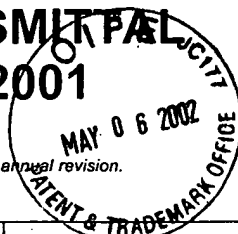
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PTO/SB/17 (11-00)
use through 10/31/2002. OMB 0651-0032
U.S. DEPARTMENT OF COMMERCE
It displays a valid OMB control number.**FEE TRANSMITTAL**
for FY 2001

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$ 710

Attorney Docket No. 02973.00031

Complete if Known

Application Number	TBA
Filing Date	Herewith
First Named Inventor	Halazonetis et al.
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	02973.00031

METHOD OF PAYMENT (check one)1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD

- ☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 710)

2. EXTRA CLAIM FEES

Total Claims	4	-20	=	0	X	Fee from below	=	0	Fee Paid
Independent Claims	2	-3	=	0	X		=	0	
Multiple Dependent					X		=	0	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Ajay Pathak	Registration No. Attorney/Agent)	38,266	Telephone	202-508-9100
Signature				Date	April 11, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.